



COUNTY OF SAN DIEGO DEPARTMENT OF ENVIRONMENTAL HEALTH

HAZARDOUS MATERIALS DIVISION March 2008

FACTSHEET: STORAGE OF HAZARDOUS WASTE BY GENERATORS **"UNDERSTANDING THE 90, 180, AND 270 DAYS RULE"**

State law regulating hazardous waste storage was amended in 1996. If you produce or generate a hazardous waste, you need to know the requirements. The change authorizes storage of hazardous waste for more than ninety (90) days if certain requirements are met. The law previously required most businesses to arrange for hazardous waste to be picked-up and disposed of every 90 days. Many businesses, which do not generate large amounts of waste each calendar month, may be able to reduce their hazardous waste transportation and disposal costs, and possibly save money.

To comply with the storage requirements, a generator must routinely monitor hazardous waste containers/tanks at their site, and make sure they are properly labeled and dated (See sample hazardous waste label). Hazardous waste containers/tanks must also be kept closed except when adding or removing waste from the container or tank. Employee training is required by law and is necessary to safely identify and store hazardous waste.

What are the storage time requirements for waste? First, a generator must calculate or add up all hazardous waste produced during each calendar month at the business. When you add up or total all hazardous waste generated, you have determined your "generation rate" for that month. During some months, a business may generate greater quantities of hazardous waste; therefore, the waste may be subject to a different storage limit. This is referred to as "Episodic Generation". An important factor in determining how much time a generator can lawfully store their waste is based on the amount of waste produced each calendar month. The calculation for determining generation rate applies to the entire facility and is NOT on a waste stream or location-specific basis.

What about acutely or extremely hazardous waste? If your waste is classified as acutely or extremely hazardous, you are subject to a 90 day storage period. Examples of extremely hazardous waste includes some metal finishing or plating solutions; certain laboratory chemicals and pesticides; corrosives; water or air reactive waste; explosive or unstable compounds; and other highly toxic substances capable of causing serious bodily injury or environmental damage. If you generate an extremely hazardous waste, the storage period is limited to 90 days after accumulating 1 kilogram (kg) (2.2 pounds) of waste. See Guideline #5 regarding acutely or extremely hazardous waste.

What is the "180 days" rule? A generator who produces less than 1,000 kg (2,200 pounds or 270 gallons) of hazardous waste in a calendar month AND never exceeds a total quantity of 6,000 kg at the site may accumulate and store hazardous waste for up to 180 days.

(*Based on Water Weight)
HELPFUL NUMBERS:

*1 gallon = 8.3 pounds 1 kilogram = 2.2 pounds
1 drum = 55 gallons or 440-500 pounds
100 kilograms (kg) = 27 gallons or 220 pounds
1,000 kilograms = 270 gallons or 2,200 pounds
6,000 kilograms = 13,200 pounds or 1,620 gallons

What is the "270 days" rule? The same volume or quantity condition is in effect as explained above in the 180 day rule; however, if the generator sends their hazardous waste to a State-authorized treatment, storage, or disposal facility, which is farther than 200 miles away from your site, then the waste generator may store the waste for up to 270 days. For example, if you operate a business in the San Diego County area and you send waste out-of-state or north of Santa Barbara County, then you may be eligible for the 270 day storage rule (if less than 1000 kg/month). If you send your waste to facilities in Los Angeles County you may be eligible for the 180 day rule. Most hazardous waste facilities in Los Angeles County are less than 200 miles from San Diego. However to be absolutely certain, always check with your hazardous waste transporter to determine transportation distances.

What is the "90 days" rule? If you produce greater than 1,000 kg of hazardous waste in a calendar month, then you must not store containers holding hazardous waste for more than 90 days. If you are a large quantity generator (>1,000 kg/month) and want to store hazardous waste for more than 90 days, then you must first receive a special storage permit or variance from the State of California, Department of Toxic Substances Control. These wastes must be kept separate from other waste which are eligible for the 180/270 days accumulation time. If they are mixed, then the more restrictive 90 day limit applies to the mixture. (Exception: See Guideline #4 regarding "Satellite Accumulation").

What if a generator produces very small amounts of hazardous waste? If a business or facility is a very small quantity generator (VSQG) of hazardous waste, which is defined as less than 100 kg in a calendar month, than the 180 or 270 day time period does not begin until the generator has first accumulated 100 kg of hazardous waste. The generation rate is the total of all hazardous waste produced in a calendar month at a facility and is not waste stream specific.

GUIDELINES: "7" Important Guidelines to Remember

#1) Add up all hazardous waste generated during each calendar month at the entire facility to determine your generator size. Some generators will find their waste production changes from month-to-month for various reasons. In situations of episodic generation where a generator was below 1,000 kg/month, but increased waste production above 1,000 kg the next month, the permissible storage times will be different for those months.

For example, a facility generates or produces small amounts of hazardous waste during 11 months of the year, and for those 11 months qualifies as a generator who can store waste for 180 days on-site. During the 12th month, the facility produces over 1000 kg, and therefore may only hold that waste for 90 days. The waste produced under the 180 days rule remains under the 180 days rule, and the 90 days only applies to the waste produced during the month in which the generator exceeded the 1000 kg limit, unless they are mixed. If waste generation regularly changes or fluctuates, maintaining a weekly log or record of hazardous waste generation to ensure compliance with the storage times is recommended. The weekly log can then be totaled to determine monthly waste generation.

#2) If a waste generator is complying with the 180 or 270 day storage requirements, they shall not exceed 6,000 kg (1,620 gallons) of hazardous waste storage at the site.

#3) Closely watch the accumulation start dates on containers/tanks storing hazardous waste so that you do not exceed the permissible storage time. If a date on a waste label is older than 90, 180, or 270 days; whichever rule applies, then you are mostly likely in violation for storing waste too long. A waste container or tank, which has the wrong date or missing the accumulation start date on the label, is in violation. Of course, a container/tank holding hazardous waste which does not have a label is also in violation.

#4) If you operate a facility with multiple waste generation points and are eligible for "Satellite Accumulation", then you may follow the State regulations pertaining to satellite storage locations. Satellite accumulation areas may have one (1) "unfilled, in-use container" (per waste stream) storing hazardous waste for a maximum of one year if certain conditions are met by the generator. Hazardous waste stored in tanks is not eligible for the satellite accumulation provision. (Reference Cited: California Code of Regulations, Title 22, Section 66262.34)

#5) Remember extremely hazardous waste and large quantity generators; greater than 1,000 kilograms/calendar month, are limited to 90 days storage, not 180 days. The 90 day storage time begins when the first drop of waste is placed in the container or tank.

#6) Maintain copies of hazardous waste disposal manifests and shipping documents available for review during all County inspections of your facility. County Inspectors will ask to see waste disposal records going back 3 years to verify the proper transportation and disposal of hazardous waste.

#7) Check with your local Fire Department before you accumulate a lot of waste to determine if their storage requirements are more stringent than State law. Depending on the amount and nature of the waste, the Fire Department may require secondary containment of the waste storage area; structural modifications; and other fire prevention measures.

If a facility generates hazardous waste anywhere in San Diego County, they must have a permit issued by the Department of Environmental Health, Hazardous Materials Management Division, in order to be in compliance with the San Diego County Code of Regulatory Ordinances.

If you have questions, please contact the County of San Diego Hazardous Materials Division Duty Specialist at (619) 338-2251.

Footnote: Authority Cited, California Health and Safety Code Section 25123.3, and California Code of Regulations, Title 22, Section 66262.34

The factsheet is intended solely for guidance. No statutory or regulatory requirements are altered by the information presented in the factsheet. State law and regulations take precedence with regards to the subject matter presented in the preceding paragraphs.

Hazardous Waste Labeling

Generators that accumulate and store hazardous waste on-site must comply with the following labeling requirements. The containers, including tanks, must be properly labeled with the information listed below:

- * the waste accumulation start date
- * the words: "HAZARDOUS WASTE"
- * the physical state and composition of the waste
- * warning words indicating the particular hazards of the waste, such as: toxic, flammable, corrosive, or reactive
- * the establishment/business name and address of the facility which generated the waste

SAMPLE HAZARDOUS WASTE LABEL

HAZARDOUS WASTE STATE & FEDERAL LAW PROHIBITS IMPROPER DISPOSAL IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY, OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL	
PROPER D.O.T. SHIPPING NAME <u>Waste Cyanide Solution, N.O.S.</u> UN or NA# <u>1935</u>	
GENERATOR INFORMATION: NAME <u>AAB Company</u> ADDRESS <u>100 Main Street</u> CITY <u>Anytown</u> STATE <u>CA</u> ZIP <u>92000</u>	
EPA ID NO. <u>CAD123456789</u>	MANIFEST TRACKING NO. <u> </u>
ACCUMULATION START DATE <u>8/26/07</u> EPA WASTE NO <u>D003, F007</u> CA WASTE NO <u>711</u>	
CONTENTS, COMPOSITION: <u>Spent cyanide solution (liquid) containing copper.</u> PHYSICAL STATE: HAZARDOUS PROPERTIES: <input type="checkbox"/> FLAMMABLE <input type="checkbox"/> TOXIC <input type="checkbox"/> SOLID <input type="checkbox"/> LIQUID <input type="checkbox"/> CORROSIVE <input type="checkbox"/> REACTIVITY <input type="checkbox"/> OTHER	
HANDLE WITH CARE! CONTAINS HAZARDOUS OR TOXIC WASTES	